

## Editorial

### ***The Role of the Automatic Brake in the Train Wreck at Lac Mégantic***

On March 6<sup>th</sup>, the *Toronto Globe & Mail* dropped a bombshell when it broke the news to all of Canada and the world that the runaway oil train that exploded in the small town of Lac - Mégantic on July 6<sup>th</sup>, 2013 had, in fact been left unattended *without* air brakes set on any of the 72 tank cars by the (single man) crew. To readers of *The Highball*, mostly railroad workers, this news must come as incomprehensible, unfathomable. It simply cannot be true. But in a bizarre twist of railroad run amuck, it is true.

For engineers and trainmen, the folks who actually have been schooled in the airbrake system and who interface with it every day at work. the idea of leaving such a heavy train unattended with the automatic brake in release position under such circumstances (on the mainline, no derail protection, on a very long and steep grade) is simply unfathomable! Why on earth would a train crew leave a train of this nature – any train for that matter – unattended without the automatic air brakes applied on the train? Why? You want to know why? Because it was the *policy* of the company - the now bankrupt Montreal, Maine & Atlantic (MM&A) headed by renegade CEO Ed Burkhardt - to do just that, that's why! The Canadian government and its Transport Canada regulatory agency which apparently turned a blind eye to this absurdity, are complicit in this act of negligence, irresponsibility, and outright stupidity.

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Every rulebook in use today in North America speaks to the issue of securing unattended equipment. In the United States it is the law that the train's air brakes must be set when leaving rolling equipment on a mainline. Whether you work for the Norfolk Southern, the CSX or the CN (each with their own operating rules), the KCS, UP, CP, BNSF and a host of smaller outfits (roads that make use of the General Code of Operating Rules – GCOR), or former Conrail and associated properties in the Northeast (which operate under the NORAC rulebook), all U.S. railroad workers are intimately aware of how to secure a train to be left unattended. We know that an intrinsic and central part of this securement entails *setting the automatic brakes on the train*.

In Canada, the Canadian Rail Operating Rules (CROR) applies to all railroads. By Emergency Order soon after the MM&A wreck, the CROR was amended and *now* contains language on the procedure to use when leaving equipment unattended, *including the use of the automatic brake*. But three years ago, the MM&A had issued a Special Instruction that trains were to be left unattended *without the automatic brake applied*. And Transport Canada was silent, stating it is not the prerogative of the government to tell a railroad what it can or cannot do!

So why on earth would a railroad order its employees to secure a train in such a slipshod, unsafe manner? According to

sources, the MM&A was concerned about the train's brake system possibly freezing up while it sat awaiting a single rested crew member to take it further on down the line, and did not wish to deal with delays and hindrances should any of the cars' brake valves become iced up. So as a matter of convenience, the company opted for a policy that contradicted the protocol of a century of routine safe operating practices, and adopted a procedure unheard of in modern railroad operations. In addition, the fact that the trains in question were long and very heavy ones, to be parked on a steep grade, by a lone crew member, on a remote mainline, with no derail protection, made up of carloads of a highly toxic and explosive material made no difference at all to the company. The ultimate irony: the runaway train that had been secured in this manner? It took place in the middle of the summer.

As baffling as this whole scenario appears, what is just as curious is how this crucial information has been kept largely under wraps for nearly three years. Since the wreck took place, there has been endless speculation about how the air had managed so quickly to bleed off of the cars allowing the train to run away, when in fact there had been no air on the cars to bleed off, as only the engine (independent) air brakes had been set. How this all important fact remained obscured from public view is baffling. It comes as shocking news to the people of both the U.S. and Canada, the citizens of Lac - Mégantic, and railroaders the world over. It has certainly left Railroad Workers United in a state of shock, dismay and outrage!

So why did it take so long for such crucial info to come to light? Is it possible that Transport Canada and the MM&A have effectively conspired to hide the truth of this nasty little affair? On top of the MM&A's dismal safety record, its insistence on running trains with a single crew member, its poor “safety culture” and deferred maintenance, its irresponsible handling of these oil trains, now we have this. If there was ever any doubt in anyone's mind that the blame for this wreck should be laid at the doorstep of the MM&A and the government, this revelation surely dispels any such notion. It's time to throw out the case against Tom Harding and Richard Labrie, the workers who have been scapegoated for this crime, and have the real criminals – the carrier, it's policy makers, and the state – be put on trial!

